VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMEN BEIT AUF DEM **GEBIET DES PATENTWESENS**

REC'D .1 8 OCT 2004

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT PCT

(Artikel 36 und Regel 70 PCT)

Aktenzeichen des Anmelders oder Anwalts 2003DE101		WEITERES VOR	RGEHEN siehe Mitteilung über die Übersendung des internationa vorläufigen Prüfungsberichts (Formblatt PCT/IPEA/416)		s internationalen CT/IPEA/416)			
Internationales Aktenzeichen PCT/EP 03/14201		Internationales Anmelo 13.12.2003	ledatum (7	「ag/Monat/Jahr)	Prioritätsdatum (TagMoni 21.01.2003	at/Jahr)		
Inter C09	internationale Patentidassifikation (IPK) oder nationale Klassifikation und IPK C09B7/00							
	Anmelder CLARIANT GMBH et al.							
1.	 Dieser internationale vorläufige Prüfungsbericht wurde von der mit der internationalen vorläufigen Prüfung beauftragten Behörde erstellt und wird dem Anmelder gemäß Artikel 36 übermittelt. 							
2.	Dies	ser BE	RICHT umfaßt insgesan	nt 4 Blätter einschließ	lich diese	s Deckblatts.		
	Außerdem liegen dem Bericht ANLAGEN bei; dabei handelt es sich um Blätter mit Beschreibungen, Ansprüchen und/oder Zeichnungen, die geändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit vor dieser Behörde vorgenommenen Berichtigungen (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsrichtlinien zum PCT).					mit vor dieser		
	Dies	e Anla	agen umfassen insgesan	nt Blätter.				
3.	Dies	er Be	richt enthält Angaben zu	folgenden Punkten:				
	i	\boxtimes	Grundlage des Beschei	ids				
	11		Priorität					
	Ш		Keine Erstellung eines	Gutachtens über Neul	neit, erfind	derische Tätigk	eit und gewerbliche Anw	vendbarkeit
	IV		Mangeinde Einheitlichk	•				
	V 🛮 Begründete Feststellung nach Regel 66.2 a)ii) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung				igkeit und der			
	VI	Ġ	Bestimmte angeführte l		- Linda di	gon zai Gluizu	ng dieser resistellung	}
	VII ☐ Bestimmte Mängel der internationalen Anmelo			dung				
	VIII Bestimmte Bemerkungen zur internationalen Anmeldung				ľ			
Datur	Datum der Einreichung des Antrags			Datum d	er Fertigstellung	dieses Berichts		
28.0	28.07.2004			15.10.2	2004			
Name	Name und Postanschrift der mit der internationalen Prüfung beauftragten Behörde				Bevolima	ichtigter Bediens	teter .	mes Petros.
Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465			Ousset	;, J-B 89 2399-8271		See September 19 S		

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen

PCT/EP 03/14201

I. Grundlage des	Beri	chts
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1 5-

 Hinsichtlich der Bestandteile der internationalen Anmeldung (Ersatzblätter, die dem Anmeldeamt auf eine Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten im Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigefügt, weil sie keine Änderungen enthalten (Regeln 70.16 und 70.17)):

	Be	Beschreibung, Seiten					
	1-1	6	in der ursprünglich einger	eichten Fassung			
	A			•			
	An	sprüche, Nr.		•			
	1-1	1	in der ursprünglich eingere	eichten Fassung			
2.	ale	Hinsichtlich der Sprache : Alle vorstehend genannten Bestandteile standen der Behörde in der Sprache, in der die internationale Anmeldung eingereicht worden ist, zur Verfügung oder wurden in dieser eingereicht, sofern unter diesem Punkt nichts anderes angegeben ist.					
	Die ein	Die Bestandteile standen der Behörde in der Sprache: zur Verfügung bzw. wurden in dieser Sprache eingereicht; dabei handelt es sich um:					
		die Sprache der Übe (nach Regel 23.1(b)	ersetzung, die für die Zwecke der in).	ternationalen Recherche eingereicht worden ist			
		die Veröffentlichung	ssprache der internationalen Anme	ldung (nach Regel 48.3(b)).			
		die Sprache der Übe worden ist (nach Re	ersetzung, die für die Zwecke der in gel 55.2 und/oder 55.3).	ternationalen vorläufigen Prüfung eingereicht			
3. Hinsichtlich der in der internationalen Anmeldung offenbarten Nucleotid- und/oder Aminternationale vorläufige Prüfung auf der Grundlage des Sequenzprotokolls durchgefüh				n Nucleotid- und/oder Aminosäuresequenz ist die quenzprotokolls durchgeführt worden, das:			
		l in der internationalen Anmeldung in schriftlicher Form enthalten ist.					
		zusammen mit der ir	nternationalen Anmeldung in comp	uterlesbarer Form eingereicht worden ist.			
		bei der Behörde nachträglich in schriftlicher Form eingereicht worden ist.					
		bei der Behörde nachträglich in computerlesbarer Form eingereicht worden ist.					
		Die Erklärung, daß das nachträglich eingereichte schriftliche Sequenzprotokoll nicht über den Offenbarungsgehalt der internationalen Anmeldung im Anmeldezeitpunkt hinausgeht, wurde vorgelegt.					
		Die Erklärung, daß o		sten Informationen dem schriftlichen			
4.	Auf	grund der Änderunge	n sind folgende Unterlagen fortgefa	llen:			
		Beschreibung,	Seiten:	,			
		Ansprüche,	Nr.:				
		Zeichnungen,	Blatt:				
5.		angegebenen Gründ	ne Berücksichtigung (von einigen) d en nach Auffassung der Behörde ü ng hinausgehen (Regel 70.2(c)).	der Änderungen erstellt worden, da diese aus den ber den Offenbarungsgehalt in der ursprünglich			
		(Auf Ersatzblätter, di beizufügen.)	e solche Änderungen enthalten, ist	unter Punkt 1 hinzuweisen; sie sind diesem Bericht			

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP 03/14201

- 6. Etwaige zusätzliche Bemerkungen:
- V. Begründete Feststellung nach Artikel 35(2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung

1. Feststellung

Neuheit (N)

Ja: Ansprüche 1-11

Nein: Ansprüche

Erfinderische Tätigkeit (IS)

Ja: Ansprüche 1-11

Nein: Ansprüche

Gewerbliche Anwendbarkeit (IA)

Ja: Ansprüche: 1-11

Nein: Ansprüche:

2. Unterlagen und Erklärungen:

siehe Beiblatt

SECTION V

1). Folgende Dokumente stehen als nächstliegender Stand der Technik zur Verfügung:

D1: US-A-2 254 354 (HERBERT DAVIES JOHN STANLEY) 2. September 1941 (1941-09-02)

D2: EP-A-0 190 692 (BASF AG) 13. August 1986 (1986-08-13) D3: EP-A-0 101 954 (BAYER AG) 7. März 1984 (1984-03-07)

- 2). Neuheit gegenüber D1-D3, da keins von diesen Dokumenten zwei Stickstoffenthaltende Ringe beschreiben, die durch eine Doppelbindung gebunden sind.
- 3). D2 stellt den nächstliegenden stand der Technik dar.

Ausgehend von D2 wird die zu lösende Aufgabe darin gesehen, weitere Pigmente bereitzustellen, die in elektrophotographischen Tonern verwendet werden können.

Aus D2 allein oder in Kombination mit entweder D1 oder D3 hätte der Fachmann die notwendige Information nicht gefunden, die ihm zu den erfindungsgemäßen Verbindungen führen würde.

Deshalb wird der beanspruchte Gegenstand als das Ergebnis eines erfinderischen Verfahren angesehen.

4). Es gibt keinen Einwand hinsichtlich der gewerblichen Anwendbarkeit.

9-6-05





PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference					
2003DE101	FOR FURTHER ACTION	THER ACTION See Notification of Transmittal of Inte			
International application No.	International filing date (day		Priority date (day/month/year)		
PCT/EP2003/014201	13 December 2003 (13	3.12.2003)	21 January 2003 (21.01.2003)		
International Patent Classification (IPC) or national classification and IPC C09B 7/00					
Applicant	CLARIANT GM	ВН			
		·			
 This international preliminary exam and is transmitted to the applicant ac 	ination report has been prepare cording to Article 36.	d by this Interr	national Preliminary Examining Authority		
2. This REPORT consists of a total of	4 sheets, include	ng this cover s	sheet.		
	ed by ANNEXES, i.e., sheets or this report and/or sheets conta Administrative Instructions un		on, claims and/or drawings which have been tions made before this Authority (see Rule		
These annexes consist of a to	tal of sheets.	·	•		
3. This report contains indications relat	ing to the following items:				
I Basis of the report					
II Priority					
III Non-establishment o	f opinion with regard to novelt	y, inventive ste	p and industrial applicability		
IV Lack of unity of inve	ntion				
V Reasoned statement citations and explana	under Article 35(2) with regard tions supporting such statemen	to novelty, inv	ventive step or industrial applicability;		
VI Certain documents c	ited				
VII Certain defects in the international application					
VIII Certain observations on the international application					
Date of submission of the demand	Date of	Date of completion of this report			
28 July 2004 (28.07.20	1	15 October 2004 (15.10.2004)			
Name and mailing address of the IPEA/EP	Author	Authorized officer			
Facsimile No.	Telepho	Telephone No.			

Form PCT/IPEA/409 (cover sheet) (July 1998)

Translation

; \(\)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/014201

1. With regard to the elements of the international application:* the international application as originally filed the description: pages		sis of the report	
the international application as originally filed the description: pages	1. With	ith regard to the elements of the international application:*	
the description: pages pages filed with the letter of the claims: pages filed with the letter of the claims: pages page		the international application as originally filed	
pages		" 71	
pages filed with the letter of		pages 1-16	
the claims: pages 1-11 as originally filed pages pages , filed with the letter of the drawings: pages , as originally filed pages , filed with the letter of the drawings: pages , as originally filed pages , as originally filed with the letter of the sequence listing part of the description: pages , as originally filed with the letter of the sequence listing part of the description: pages , as originally filed pages , filed with the letter of the sequence listing part of the description: pages , as originally filed with the letter of the sequence listing part of the description: pages , as originally filed with the letter of With regard to the language, all the elements marked above were available or furnished to this Authority in the language or pages , as originally filed pages , filed with the letter of With regard to the language of a translation furnished for the purposes of international sequence (under Rule 23.1(b)). the language of a translation furnished for the purposes of international sequence (under Rule 23.1(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rule 25.2 and/ or 55.3). With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international application was carried out on the basis of the sequence listing: contained in the international application in written form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The amendments have resulted in the cancellation of: the descrip		90,000	
the claims: pages pag		pages , file	with the letter of
pages	\boxtimes	71	
pages		nage	
pages		1"11	, as originally filed
the drawings: pages pag			
the drawings: pages page		pages	, filed with the demand
pages		the drawing.	with the letter of
the sequence listing part of the description: pages			
the sequence listing part of the description: pages		nages	, as originally filed
the sequence listing part of the description: pages			, filed with the demand
pages		, filed	with the letter of
pages	t	the sequence listing part of the description:	
which is: With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language which is: the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3). With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing: contained in the international application in written form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The amendments have resulted in the cancellation of: the description, pages			as originally filed
With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language which is: the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3). With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing: contained in the international application in written form. filed together with the international application in computer readable form. furnished subsequently to this Authority in computer readable form. The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The amendments have resulted in the cancellation of: the description, pages			filed with the James a
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the claims, Nos. the drawings, sheets/fig This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).** Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17). Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.		the language of publication of the international application (under R the language of the translation furnished for the purposes of interior 55.3). The regard to any nucleotide and/or amino acid sequence discloiminary examination was carried out on the basis of the sequence listing contained in the international application in written form. filed together with the international application in computer readable furnished subsequently to this Authority in written form. The statement that the subsequently furnished written sequence international application as filed has been furnished. The statement that the information recorded in computer readable.	ule 48.3(b)). national preliminary examination (under Rule 55.2 and/ sed in the international application, the international g: e form.
	Replace in this and 70.	the claims, Nos. the drawings, sheets/fig This report has been established as if (some of) the amendments had beyond the disclosure as filed, as indicated in the Supplemental Box (Incement sheets which have been furnished to the receiving Office in relative report as "originally filed" and are not annexed to this report 70.17).	sponse to an invitation under Article 14 are referred to since they do not contain amendments (Rule 70.16
			er item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP 03/14201

v.	Reasoned statement under Article 3 citations and explanations supporti	5(2) with regard to novelting such statement	y, inventive step or industrial appl	licability;
1.	Statement			
	Novelty (N)	Claims	1-11	YES
		Claims		NO
	Inventive step (IS)	Claims	1-11	YES
		Claims		NO
	Industrial applicability (IA)	Claims	1-11	YES
		Claims		NO

- Citations and explanations
 - 1). The following documents represent the closest prior art:
 - D1: US-A-2 254 354 (HERBERT DAVIES JOHN STANLEY)

2 September 1941 (1941-09-02)

D2: EP-A-0 190 692 (BASF AG)

13 August 1986 (1986-08-13)

D3: EP-A-0 101 954 (BAYER AG)

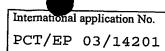
7 March 1984 (1984-03-07)

- 2). Novelty over D1-D3, since none of these citations describes two nitrogen-containing rings connected by a double bond.
- 3). D2 represents the closest prior art.

Proceeding from D2, the problem to be solved consists in providing further pigments that can be used in electrophotographic toners.

D2, taken alone or in combination with either D1 or D3, would not give a person skilled in the art the information needed in order to arrive at the compounds according to the invention.





Therefore, the claimed subject matter is considered to be the result of inventive step.

4). There are no objections concerning industrial applicability.